

12-23-04

PTO/SB/30 (10-01)  
OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Approved for use through 10/31/2002.

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REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL

Address to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number

10/624,077

Filing Date

July 21, 2003

First Named Inventor

David D. Griner

Art Unit

2655

Examiner Name

Ali Neyzari

Attorney Docket Number

075621.0106

This is a Request for Continued Examination (RCE) under 37 C.F.R. 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. Submission required under 37 C.F.R. § 1.114

a. ☐ Previously submitted

i. ☐ Consider the amendment(s)/reply under 37 C.F.R. 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).

ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

iii. ☐ Other \_\_\_\_\_

b. ☒ Enclosed

i. ☒ Preliminary Amendment

ii. ☒ Revocation of Attorney and  
Appointment of New Attorneys

iii. ☒ Information Disclosure Statement (IDS)

iv. ☒ PTO-1449 (with one non-patent reference -  
Declaration of Robert Starrett)

2. Miscellaneous

a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. 1.103(c) for a  
period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. 1.117(i) required)

b. ☐ Other \_\_\_\_\_

3. Fees

The RCE fee under 37 C.F.R. 1.17(e) is required by 37 C.F.R. 1.114 when the RCE is filed.

a. ☒ The Director is hereby authorized to charge additional filing fees, or credit any overpayments, to  
Deposit Account No. 020384

i. ☒ Check No. 122991 in the amount of \$790.00 is enclosed for the RCE fee required  
under 37 C.F.R. 1.17(e)

ii. ☐ Extension of time fee (37 C.F.R. 1.136 and 1.17)

b. ☒ Check No. 122994 in the amount of \$180.00 is enclosed for the IDS filing fee.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print / Type) David G. Wille

Registration No. (Attorney/Agent) 38,363

Signature

Date December 20, 2004

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1490, Alexandria, Virginia 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office shown below.

Name (Print / Type) Levado Hamilton

Signature

Date December 20, 2004

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Assistant Commissioner for Patents, Box RCE, Washington, DC 20231.

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DAL01:829330.1

ATTORNEY DOCKET NO.  
075621.0106

PATENT APPLICATION  
10/624,077

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	David D. Griner, et al.
Serial No.:	10/624,077
Filed:	July 21, 2003
Group No.:	2655
Examiner:	Ali Neyzari
Title:	SYSTEM AND METHOD OF CREATING DIGITAL RECORDINGS OF LIVE PERFORMANCES

MAIL STOP RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313.1450

Dear Sir:

### **PRELIMINARY AMENDMENT**

This Preliminary Amendment accompanies a Request for Continued Examination (RCE), an Information Disclosure Statement and an executed certificate of mailing by Express Mail. Applicants respectfully request that the following amendments be entered prior to issuance of the next office action.